

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

TAM TRAN,

Plaintiff,

CASE NO. C23-5282 BHS

ORDER

UNITED STATES OF AMERICA
CONGRESS LAWMAKERS,

Defendant.

THIS MATTER is before the Court on Magistrate Judge Teresa L. Fricke's Report and Recommendation (R&R), Dkt. 6, recommending that the Court deny pro se Plaintiff Tam Tran's application to proceed *in forma pauperis* and dismiss the case with prejudice and without leave to amend as frivolous and without merit.

This case is one of more than 20 substantially similar cases Tran has filed in this District this year. It, like the others, contains no factual allegations and no legal theory of liability. Instead, Tran's statement of claim in this case asserts in its entirety:

The United State Congress Lawmaker Civil Rights Act of 1964 Federal Criminal Law no own D.O.J., no Federal Court the law never ending “wrong on the law” the law over only, patrol, sheriff, city police, under

1 local judge local court, state judge, state court and our federal worker the
2 congress fraud me and American people 2nd amendment violate.

3 Dkt. 1-1 at 5. Tran seeks \$6 trillion in damages and for congress to resign. *Id.*

4 The R&R thoroughly catalogues the deficiencies in this case, which are also
5 present in Tran's other cases. Dkt. 6. It recommends dismissal with prejudice and without
6 leave to amend, and the denial of *in forma pauperis* status in the event of any appeal.

7 Tran has not objected to the R&R, and it is ADOPTED.

8 Tran's application to proceed *in forma pauperis* is DENIED, and he shall not have
9 that status in the event of an appeal. The matter is DISMISSED with prejudice and
10 without leave to amend.

11 ***

12 Tran's practice of filing repetitive, facially frivolous complaints, seeking to
13 proceed *in forma pauperis*, and refusing to amend his complaint, is abusive and
14 vexatious. The Court has previously warned Tran that if he continues to do so, he will be
15 subject to a bar order, precluding him from filing additional cases in this District without
16 prior court approval. 28 U.S.C. § 1915(g); *see also, e.g., McGlown v. United States Dep't*
17 *of Com.*, No. 23-cv-0049 TL, 2023 WL 1778934, at *3 (W.D. Wash. Feb. 6, 2023). It has
18 now entered a notice of intent to enter such an order, and ordered Tran to show cause
19 why it should not be entered. *See* Dkt. 5. Tran has not responded or otherwise shown
20 cause why he should not be barred as a vexatious litigant. The Court will enter the Bar
21 Order in a new, miscellaneous case.

22 The Clerk shall enter a JUDGMENT and close this case.

1 IT IS SO ORDERED.

2 Dated this 19th day of May, 2023.

3
4
5 
6 BENJAMIN H. SETTLE
7 United States District Judge
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22